commissioned officers shall not, if they object thereto, be brought to trial before summary courts without the authority of the officer competent to order their trial by general court-martial, but shall in such cases be brought to trial before garrison, regimental, or general court-martial, as the case may be."

SEC. 2. That articles eighty and one hundred and ten of the Rules and Articles for the Government of the Armies of the United States be, and the same are hereby, repealed.

SEC. 3. That the commanding officers authorized to approve the sentences of summary courts and superior authority shall have power to remit or mitigate the same.

SEC. 4. That post and other commanders shall, in time of peace, on the last day of each month, make a report to the department headquarters of the number of cases determined by summary court during the month, setting forth the offenses committed and the penalties awarded, which report shall be filed in the office of the judge-advocate of the department, and may be destroyed when no longer of use.

SEC. 5. That soldiers sentenced by court-martial to dishonorable discharge and confinement shall, until discharged from such confinement, remain subject to the Articles of War and other laws relating to the administration of military justice.

SEC. 6. That it shall be lawful for any civil officer having authority under the laws of the United States, or of any State, Territory, or District, to arrest offenders, to summarily arrest a deserter from the military service of the United States and deliver him into the custody of the military authority of the General Government.

SEC. 7. That this Act shall take effect sixty days after its passage.

Approved, June 18, 1898.

June 21, 1898.

CHAP. 489.—An Act To make certain grants of land to the Territory of New Mexico, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections numbered sixteen and thirty-six in every township of the Territory of New Mexico, and where such sections, or any parts thereof, are mineral or have been sold or otherwise disposed of by or under the authority of any Act of Congress, other non-mineral lands equivalent thereto, in legal subdivisions of not less than one-quarter section, and as contiguous as may be to the section in lieu of which the same is taken, are hereby granted to said Territory for the support of common schools, such indemnity lands to be selected within said Territory in such manner as is hereinafter provided: Provided, That the sixteenth, and thirty-sixth sections embraced in permanent reservations for national purposes shall not at any time be subject to the grants of this Act, nor shall any lands embraced in Indian, military, or other reservations of any character be subject to the grants of this Act; but such reservations shall be subject to the indemnity provisions of this Act.

SEC. 2. That fifty sections of the unappropriated non-mineral lands within said Territory, to be selected and located in legal subdivisions as hereinafter provided in this Act, shall be, and are hereby, granted to said Territory for the purpose of erecting public buildings at the capital of the State of New Mexico when said Territory shall become a State and be admitted into the Union, when said capital shall be permanently located by the people of New Mexico, for legislative, executive, and judicial purposes.

SEC. 3. That lands to the extent of two townships in quantity, authorized by the sixth section of the Act of July twenty-second, eighteen hundred and fifty-four, to be reserved for the establishment of a university in New Mexico, are hereby granted to the Territory of New Mexico for university purposes, to be held and used in accordance
with the provisions in this section; and any portions of said lands that
may not have been heretofore selected by said Territory may be selected
now by said Territory. That in addition to the above, sixty-five thou-
sand acres of non-mineral, unappropriated and unoccupied public land,
to be selected and located as hereinafter provided, together with all
saline lands in said Territory, are hereby granted to the said Territory
for the use of said university, and one hundred thousand acres, to be
in like manner selected, for the use of an agricultural college. That
the proceeds of the sale of said lands, or any portion thereof, shall
constitute permanent funds, to be safely invested, and the income
thereof to be used exclusively for the purposes of such university and
agricultural college, respectively.

SEC. 4. That five per centum of the proceeds of the sales of public
lands lying within said Territory which shall be sold by the United
States subsequent to the passage of this Act, after deducting all
expenses incident to the same, shall be paid to the said Territory, to
be used as a permanent fund, the interest of which only shall be
expended for the support of the common schools within said Territory.

SEC. 5. That the schools, colleges, and university provided for in this
Act shall forever remain under the exclusive control of said Territory,
and no part of the proceeds arising from the sale or disposal of any
lands herein granted for educational purposes, or of the income thereof,
shall be used for the support of any sectarian or denominational school,
college, or university.

SEC. 6. That in lieu of the grant of land for purposes of internal
improvement, made to New States by the eighth section of the Act of
September fourth, eighteen hundred and forty-one, which section is
hereby repealed as to New Mexico, and in lieu of any claim or demand
of the State of New Mexico under the Act of September twenty-eighth,
eighteen hundred and fifty-nine, and section twenty-four hundred and
twenty-nine of the Revised Statutes, making a grant of swamp and
overflowed lands, which grant it is hereby declared is not extended to
said State of New Mexico, the following grants of non-mineral, and
unappropriated land are hereby made to said Territory for the purposes
indicated, namely:

For the establishment of permanent water reservoirs for irrigating
purposes, five hundred thousand acres; for the improvement of the Rio
Grande in New Mexico, and the increasing of the surface flow of the
water in the bed of said river, one hundred thousand acres; for the
establishment and maintenance of an asylum for the insane, fifty thou-
sand acres; for the establishment and maintenance of a school of mines,
fifty thousand acres; for the establishment and maintenance of an
asylum for the deaf and dumb, fifty thousand acres; for the establish-
ment and maintenance of a reform school, fifty thousand acres; for the
establishment and maintenance of normal schools, one hundred thou-
sand acres; for the establishment and maintenance of an institution
for the blind, fifty thousand acres; for a miners' hospital for disabled
miners, fifty thousand acres; for the establishment and maintenance of a
military institute, fifty thousand acres; for the enlargement and
maintenance of the Territorial penitentiary, fifty thousand acres. The
building known as the Palace, in the city of Santa Fe, and all lands
and appurtenances connected therewith and set apart and used there-
with, are hereby granted to the Territory of New Mexico.

SEC. 7. That this Act is intended only as a partial grant of the lands
to which said Territory may be entitled upon its admission into the
Union as a State, reserving the question as to the total amount of lands
to be granted to said Territory until the admission of said Territory
as a State shall be determined on by Congress.

SEC. 8. That all grants of land made in quantity or as indemnity by
this Act shall be selected by the governor of the Territory of New
Mexico, the surveyor-general of the Territory of New Mexico, and
the solicitor-general of said Territory, acting as a commission, under
the direction of the Secretary of the Interior, from the unappropriated
public lands of the United States within the limits of the said Territory of New Mexico.

SEC. 9. That said commission shall proceed, upon the passage of this Act, to select said lands, for each purpose as hereinbefore designated, in legal subdivisions, of not less than one-quarter section, and shall report to the Secretary of the Interior such selections, designating in such report the purpose for which such bodies of land as selected are to be respectively used as provided above in this Act.

SEC. 10. That the lands reserved for university purposes, including all saline lands, and sections sixteen and thirty-six reserved for public schools, may be leased under such laws and regulations as may be hereafter prescribed by the legislative assembly of said Territory; but until the meeting of the next legislature of said Territory the governor, secretary of the Territory, and the solicitor-general shall constitute a board for the leasing of said lands; and all necessary expenses and costs incurred in the leasing, management, and protection of said lands and leases may be paid out of the proceeds derived from such leases. And it shall be unlawful to cut, remove, or appropriate in any way any timber growing upon the lands leased under the provisions of this Act, and not more than one section of land shall be leased to any one person, corporation, or association of persons, and no lease shall be made for a longer period than five years, and all leases shall terminate on the admission of said Territory as a State; and all money received on account of such leases in excess of actual expenses necessarily incurred in connection with the execution thereof shall be placed to the credit of separate funds for the use of said institutions, and shall be paid out only as directed by the legislative assembly of said Territory, and for the purposes indicated herein. The remainder of the lands granted by this Act, except those lands which may be leased only as above provided, may be sold under such laws and regulations as may be hereafter prescribed by the legislative assembly of said Territory; and all necessary costs and expenses as may be incurred in the management, protection, and sale of said lands may be paid out of the proceeds derived from such sales; and not more than one-quarter section of land shall be sold to any one person, corporation, or association of persons, and no sale of said lands or any portion thereof shall be made for less than one dollar and twenty-five cents per acre; and all money received on account of such sales, after deducting the actual expenses necessarily incurred in connection with the execution thereof, shall be placed to the credit of separate funds created for the respective purposes named in this Act, and shall be used only as the legislative assembly of said Territory may direct, and only for the use of the institutions or purposes for which the respective grants of lands are made: Provided, That such legislative assembly may provide for leasing all or any part of the lands granted in this Act on the same terms and under the same limitations prescribed above as to the lands that may be leased only, but all leases made under the provisions of this Act shall be subject to the approval of the Secretary of the Interior, and all investments made or securities purchased with the proceeds of sales or leases of lands provided for by this Act shall be subject to like approval by the Secretary of the Interior.

SEC. 11. That there is hereby appropriated from the unexpended funds in the Treasury of the United States ten thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Secretary of the Interior, for the purpose of paying the expenses of the selection and segregation of said respective bodies of land, including such compensation to said commission as the Secretary of the Interior may deem proper.

SEC. 12. That all acts and parts of acts in conflict with the provisions of this Act, whether passed by the legislative assembly of said Territory or by Congress, are hereby repealed.

Approved, June 21, 1898.